

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:19-cv-658 (WOB-SKB)

JAMES E. BROWN

PETITIONER

VS.

JUDGMENT

WARDEN, CHILLICOTHE
CORRECTIONAL INSTITUTION

RESPONDENT

This matter is before the Court on the Report and Recommendation of the United States Magistrate Judge (Doc. 3), and no objections having been filed thereto, and the Court being sufficiently advised,

IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. 3) be, and it hereby is, **adopted** as the findings of fact and conclusions of law of this Court; that petitioner's duplicative petition for a writ of habeas corpus be, and it hereby is, **DISMISSED**. A certificate of appealability shall not issue with respect to any Order adopting this Report and Recommendation to dismiss the instant habeas corpus petition on the procedural ground of duplicativeness. Pursuant to 28 U.S.C. § 1915(a)(3), any application by petitioner to proceed on appeal *in forma pauperis* would be not be taken in "good faith."

This 3rd day of October, 2019.



Signed By:

William O. Bertelsman *WOB*

United States District Judge